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LOCKE LIDDELL & SAPP, LLP.
Suite 3400
600 Travis
Houston, TX 77002-3004

EXAMINER

WANG, LIANG CHE A

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 04/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/779,898

Applicant(s)

HOTTI, TIMO

Examiner

Liang-che Alex Wang

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 38-86 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 38-86 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

1. Claims 38-86 are presented for examination.
2. Claims 1-37 are cancelled.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 38-57, 60, 67, 68, 72-74 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
5. Claim 38 is a “hybrid” claim, which simultaneously claims both statutory classes (a method exhibited by a system and a method) and is indefinite under 112, 2nd. (In Ex Parte Lyell 17 UQPQ2d 1548 (Bd. PA&I 1990).
6. Claims 40, 52-54, 60, 72-74, recite the limitation "preference data". There is insufficient antecedent basis for this limitation in the claim.
7. Claims 46, 47, 48, 67, 68, recite the limitation of “wherein data” or “wherein at least some data” renders the claims vague and indefinite, because it is unclear to the examiner what “data” does the applicants refers to. There are at least two types of data (service data and user-specific data) described in independent claims 38 and 58.
8. All dependent claims are rejected to as having the same deficiencies as the claims they depend from.

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10. Claims 38-86 are rejected under 35 U.S.C. 102(e) as being anticipated by Immerman et al., US Patent Number 6,574,617, hereinafter Immerman.

11. Referring to claim 38, Immerman has taught a method for managing data in a system, wherein the system (figures 6-10) comprises at least one community (figure 6, the entire system corresponds to the a community) offering plurality of services (Col 18 lines 5-15 and figure 18), wherein at least one community system (figure 6-10) comprises:

- a. at least one service database (main database 140) containing service data (application page 238 Col 9 lines 28-33 and services listed on figure 18 corresponds to service data),
- b. at least one identity database (ID policy database 114) containing user-specific data (items 110 corresponds to user-specific data Col 9 lines 47-48), and
- c. at least one service access point (SAP) (figure 9, item 200) having at least one user database (figure 9 items 204, 212, 214, 216) communicating with said service database and said identity database (Col 8 lines 13-15, Col 12 lines 25-50)

wherein the method comprising the steps:

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- d. maintaining user-specific data (figure 7 item 110) of at least one user of said at least one service access point (item 200) in the least one identity database (Col 10 lines 8-24),
 - e. maintaining service data (application page 238, Col 9 lines 28-30) of at least one service in at least one service database (main database 140, Col 9 lines 28-30),
 - f. publishing at least part of the user-specific data of the identity database to the service database (Col 27 lines 34-37), and
 - g. determining in the service database a list of services based on the published user-specific data (Col 18 lines 5-13, and figure 18 shows a list of services generated from configuration profile document 138, which stored in service database 140)
12. Referring to claim 39, Immerman has further taught wherein the method comprises a steps of exchanging user-specific data (ID and security data corresponds to user-specific data) between said identity database and said service access point by synchronizing the data between said identity database and said user database (Col 8 lines 33-35, Col 30 lines 21-23, server and clients are synchronized via paths 311 and 313.)
13. Referring to claim 40, Immerman has further taught wherein user-specific and preference data is replicated from the identity database to the user database so that the user database has at least partial copy of said identity and preference data (Col 19 lines 15-18, Col 30 lines 21-23, ACL is replicated from the server to the client.)
14. Referring to claim 41, Immerman has further taught wherein the method comprises a step of exchanging service data between said service database and said service access point by

synchronizing the data between said service database and said user database (Col 12 lines 7-16)

15. Referring to claim 42, Immerman has further taught wherein service data is replicated from the service database to the user database so that the user database has at least partial copy of said service data (Col 19 lines 15-18).
16. Referring to claim 43, Immerman has further taught wherein the method comprises a steps of refreshing said replica copy of the user database with at least some data related to the data of said list of services (Col 30 lines 21-28, Group lists are corrected after each synchronization corresponds to the step of refreshing).
17. Referring to claim 44, Immerman has further taught wherein the method comprises a step of maintaining the identity and preference data in the user database (Figure 9, database 202, 212, 214, 216).
18. Referring to claim 45, Immerman has further taught wherein a service is selected from the list of services (Col 18 lines 5-15, figure 18).
19. Referring to claim 46, Immerman has further taught wherein the data of at least one service comprises service executable application software (Col 9 lines 28-30, Col 34 lines 14-17, Figure 7, items 126).
20. Referring to claim 47, Immerman has further taught wherein the data of at least one service comprises service configuration data (Col 12 lines 5-16).
21. Referring to claim 48, Immerman has further taught wherein at least some data of said selected services is downloaded from the service database to the user database (figures 23 steps 468-469).

22. Referring to claim 49, Immerman has further taught wherein said selected service is executed using executed software binary data and configuration data available in the user database (figure 23 steps 468-469).
23. Referring to claim 50, Immerman has further taught wherein a selected service is located and invoked by using a uniform resource locator (URL) of the selected services (Col 14 lines 3-14, Col 15 lines 17-18).
24. Referring to claim 51, Immerman has further taught wherein said identity and preference data comprises information of user's location point and appropriate time information (Col 23 lines 8-14 and Col 15 lines 33-48).
25. Referring to claim 52, Immerman has further taught wherein said identity and preference data comprises information of user's usage history of services (Col 12 lines 11-14).
26. Referring to claim 53, Immerman has further taught wherein said identity and preference data comprises information of use's access authorization to the list of services (Col 10 lines 8-24).
27. Referring to claim 54, Immerman has further taught wherein said identity and preference data comprises information of the configuration of the service access point (Col 17 lines 49-51).
28. Referring to claim 55, Immerman has further taught wherein the method is compliant with at least one of the following communication specifications: TCP/IP, CDMA, GSM, GPRS, WCDMA, UMTS, Teldesic, Iridium, Inmarsat, WLAN and imode (Col 4 line 65 – Col 5 line 2).

29. Referring to claim 56, Immerman has further taught wherein at least one of the following operating systems is used in the service point: Unix, MS-windows, EPOC, NT, MSCE, Linux, PalmOS and GEOS (Col 8 lines 35-64, Microsoft IE resides and operates under MS-Windows.)
30. Referring to claim 57, claim 57 encompasses the same scope of the invention as that of the claims 38-56. Therefore, claim 57 is rejected for the same reason as the claims 38-56 (also noted, Col 42 lines 38-49).
31. Referring to claims 58-76 claims 58-76 encompass the same scope of the invention as that of the claims 38-56. Therefore, claims 58-76 are rejected for the same reason as the claims 38-56.
32. Referring to claim 77, Immerman has further taught wherein the service assembly point is a combination of a mobile station and a computer (Col 4 lines 45-49).
33. Referring to claim 78, Immerman has further taught wherein the service assembly point is a database server (see figure 6).
34. Referring to claim 80, Immerman has further taught wherein the service assembly point is a user terminal device (see figure 6).
35. Referring to claim 81, Immerman has further taught wherein the service database server and/or the identity database is arranged to operate at least one of the following operating system s: Unix, MS-windows, NT and Linux. (Col 8 lines 35-64, Microsoft IE resides and operates under MS-Windows.)

36. Referring to claims 81-86 claims 81-86 encompass the same scope of the invention as that of the claims 38-56. Therefore, claims 81-86 are rejected for the same reason as the claims 38-56.

Response to Arguments


37. Applicant's arguments with respect to claims 38-86, have been considered but are moot in view of the new ground(s) of rejection.


Conclusion

38. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
39. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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40. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Liang-che Alex Wang whose telephone number is (571)272-3992. The examiner can normally be reached on Monday thru Friday, 8:30 am to 5:00 pm.
41. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T Alam can be reached on (571)272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.
42. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Liang-che Alex Wang 
April 15, 2005

 JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100